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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. R1-P102  
First Inventor Kun-Yung K. Chang  
Title TRANSCEIVER WITH SELECTABLE DATA RATE  
Express Mail Label No. EL 910 085 155 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages 36]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
- ☐ Oath or Declaration [Total Pages]
  - ☐ Newly executed (original or copy)
  - ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☐ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ paper
  - ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
- ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Prior application information Examiner \_\_\_\_\_ Group Art Unit \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

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Name (Print/Type) Charles E. Shemwell Registration No. (Attorney/Agent) 40,171  
Signature [Signature] Date Dec. 24, 2001

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Kun-Yung K. Chang	
Title	TRANSCEIVER WITH SELECTABLE DATA RATE	
Atty Docket Number	R1-P102	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Dec. 24, 2001

Date



Signature

Charles E. Shemwell, Reg. No. 40,171

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## **EXPRESS MAIL CERTIFICATE OF MAILING**

Express Mail" mailing label number: EL 910 085 155 US

Date of Deposit: December 24, 2001

I hereby certify that the paper(s) and/or fee(s) indicated below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that the paper(s) and/or fee(s) have been addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Charles E. Shemwell

(Typed or printed name of person mailing paper(s) or fee(s))



(Signature of person mailing paper or fee)

Dec. 24, 2001

(Date signed)

Serial/Patent No.: \_\_\_\_\_ Filing/Issue Date: Herewith

Title: TRANSCEIVER WITH SELECTABLE DATA RATE

Atty. Docket No.: R1-P102 Date Mailed: December 24, 2001

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|---|---|
| <input type="checkbox"/> Amendment/Response ( pgs.)                         | <input type="checkbox"/> Petition for Extension of Time ( month(s))           |
| <input type="checkbox"/> Preliminary Amendment ( pgs.)                      | <input type="checkbox"/> Information Disclosure Statement & PTO 1449          |
| <input checked="" type="checkbox"/> Application - Utility ( <u>36</u> pgs.) | <input type="checkbox"/> Issue Fee Transmittal                                |
| <input type="checkbox"/> Application - Rule 1.53(b) Contin. ( pgs.)         | <input type="checkbox"/> Submission of Formal Drawings                        |
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| <input checked="" type="checkbox"/> Drawings ( <u>7</u> sheets)             | <input type="checkbox"/> Fee Transmittal (in duplicate)                       |
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